



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

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### PART IV-C

**Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.**

**APPEAL - NOTICE**

**R/FA/751/2018**

TO BE RETURNED TO THIS COURT DULYSERVED/TO BE SERVED UPON

Appellant (s) / Defendant (s) / Addressee No. 7

Fixed on : 21-09-2021

Despatch No. : CPC-C-O 139526

Date :

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/FIRST APPEAL NO. 751 OF 2018**

(Converted from FA/603/2018 dated 14-03-2018)

District: Rajkot

MR PALAK H THAKKAR(3455) as

ADVOCATE for the Appellant(s)

No. 1

IFFCO TOKIO GENERAL INSURANCE COMPANY LTD ----- Appellant(s)

V/S

JITESHBHAI MANSUKHBHAI BHATT &amp; 6 ----- Defendant(s)

To,

7

AARIF JUSAB HAKDA

RESI. AT GOLYARI, TAL. &amp;

DIST. DWARKA

TAKE NOTICE that the FIRST APPEAL from the decree of the HACT (AUXI), TALUKA COURT, DHORAJI, District RAJKOT dated 10<sup>th</sup> day of November, 2017 passed in MAC PETITION No. 82 of 2015 has been presented by the abovenamed Appellant(s) on 12<sup>th</sup> day of February, 2018 and has been registered in this Court. On hearing the said FIRST APPEAL it is ordered by this Court to issue Notice and that the hearing of the said FIRST APPEAL will take place on the 21<sup>st</sup> day of September, 2021 at 11 AM peremptorily in this Court and if no appearance is made on your behalf, by yourself, your advocate or by someone authorised by law to act for you, in this FIRST APPEAL, it will be heard and determined/decided ex parte in your absence.

Court's Order :

ORDER PASSED IN CIVIL APPLICATION NO. 1/2020 [ FOR SUBSTITUTE OF SERVICE]

IN R/FIRST APPEAL NO. 751/2018

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CORAM : HONOURABLE MR. JUSTICE N.V.ANJARIA

Date : 04/08/2021

IA ORDER

This is an application filed under Order V Rule 20 of the Code of Civil Procedure, whereby the appellant Insurance Company has prayed to permit to serve respondent No.7 by substituted service by mode of affixing.

2. Learned advocate Mr. Palak Thakkar submitted that the notice came to be issued on 21.3.2018 in the First Appeal by this Court and the stay was granted against the judgment and award of the Tribunal, however, respondent No.7 who is owner has remained unserved. It is stated that before the Tribunal also the said respondent has remained absent.

3. It is in above background in order to secure the service of notice on the said respondent, the prayer is made. It was stated that the last known address of respondent No. 7 was as mentioned in the cause title. The substituted service could therefore be permitted by affixing the notice of Court on such last known address.

4. The Registry shall issue Notice to the respondent, returnable on 21.9.2021 which shall be served by mode of affixing the same at the address of respondent No.7 mentioned in the cause title. In the prayer clause of this Civil Application, direction is also prayed for to publish the notice to the respondent No.7 in the *official gazette* of the State Government.

The said prayer is also granted. The notice which may be issued as above shall be published in the *official gazette* as well.

5. In addition to the other details to be mentioned in the notice, it shall be further mentioned that on the returnable date, the appeal will be listed for consideration of the Court and even in absence of respondent No.7 the Court may proceed to pass appropriate orders in the appeal and in connected applications.

6. The substituted service as above, shall be at the cost of appellant- applicant. The Registry shall take necessary steps.

7. The present Civil Application is disposed of.

(N. V. ANJARIA, J)

Manshi

Witness VIKRAM NATH, Esquire the CHIEF JUSTICE at Ahmedabad aforesaid this 04<sup>th</sup> day of August, 2021

By the Court

Sd/-

Deputy Registrar

This 18<sup>th</sup> Day of August, 2021

You are hereby informed that the free legal services from the State Legal Services Authorities, High Court Legal Services Committees, District Legal Services Authorities and Taluka Legal Services Committees, as per eligibility criteria, are available to you and in case you are eligible and desire to avail the free legal services, you may contact any of the above Legal Services Authorities/Committees.

You are also informed that if you desire to negotiate your case for compromise, you may request the court to refer the case to the Gujarat High Court Mediation Centre.

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